

THE TERRITORIAL POLICY.

SPEECH OF ELI THAYER, OF MASS.,

IN REPLY TO

HON. MR. CURTIS AND HON. MR. GOOCH.

(30)

Delivered in the U. S. House of Representatives, May 11, 1860.

MR. SPEAKER: I have listened with great interest to the remarks of my colleague, and also to those of the gentleman from Iowa, [Mr. Curtis.] They have manifested suitable ingenuity in the discussion of this question; for, sir, it is the work of giants to prove to the people of this country that they have not a right to govern themselves, and that Congress has a right to govern them. That is a work that can be done only by giants. It is easy for ordinary men, for common men, to show to the people of this country that they have the right to govern themselves, and that they are abundantly prepared to exercise that right. In the early history of this Government, we had the Providence Plantations, the Plymouth colony, and the New Haven colony, which drummed out a Governor forced upon them by a non-resident Power, and thereby secured to that State an indestructible possession—the proud history of the charter oak. Those men from the old country formed upon our soil model governments, and they did it without ever having had the experience afforded by the exercise of self-government.

But, sir, it is contended that we, who have always governed ourselves, when we go to a Territory of the United States are unable to tell our hands from our feet. It is contended that a man not only loses his rights, but loses his common sense, by going to a Territory. The gentleman from Iowa—

MR. CURTIS. Mr. Speaker—

MR. THAYER. I will allow no interruption. The gentleman from Iowa refused to let me ask him a question. I remember that.

MR. CURTIS. I certainly did not, or at least I did not intend it.

MR. THAYER. I shall not be interrupted. I have the floor.

MR. CURTIS. I did not hear the gentleman, if he asked me any question.

MR. THAYER. I was not astonished at the surprise which my colleague manifested, that I had taken the lead in this business of killing off these Territorial organizations which go upon the assumption that the people of a Territory are infants. Therefore I could understand the grief which he and the gentleman from Iowa must have felt when they saw that this lending and this voting was successful in the accomplishment of that result. Rachel

mourned for her first-born, and would not be comforted. This day's slaughter of the innocents is no doubt an appropriate cause and occasion of grief.

Sir, grief may have a salutary influence upon men. The efforts of ingenuity and of invention may quicken their intellects. I am glad to see gentlemen striving for arguments that do not exist, and can never be found, showing why Congress should make an organic law for the people of the Territories, who are a thousand times better able than Congress to understand their wishes and necessities. There was need, sir, in this work, of quick and ready invention, of nervous struggling for expedients. We have witnessed all that this day—

"All the soul in rapt suspension;
All the quivering, palpitating
Chords of life in utmost tension
With the fervor of invention,
With the rapture of creating."

I said, grief itself may be salutary; and when these gentlemen see that they are in the minority, and that we who oppose their favorite measures are a majority in this House, I sympathize with them. I know something about the effect of defeat; and I say it, for their consolation, that I think it may be good. Sir, I have known something of the feeling of men who have experienced defeat; this feeling of distrust of the power of Providence to carry forward a good cause, this loss of faith in men, this ruinous and apparently crushing despair, may sometimes work great good. The pearl is only the crystallized tear of the oyster.

MR. GOOCH rose.

MR. THAYER. I will not be interrupted.

MR. GOOCH. I say to my colleague, that I allowed him to interrupt me frequently during my remarks on the polygamy bill, a few days ago; and yet he is not willing to give me the same privilege.

MR. THAYER. If my colleague wishes to interrupt me, I will allow him to do anything he chooses. [Laughter.]

MR. GOOCH. I thought my colleague would not be as unjust as he intimated. I must express some surprise at the reference my colleague has made. If he had looked up his quotations to express surprise, instead of grief, it would have been more to the purpose. I expressed no grief. I simply expressed surprise.

Mr. THAYER. I have not looked up any quotations. I happen generally to know what is appropriate, without looking them up. [Laughter.]

Now, Mr. Speaker, let me say further to my colleague, whose grief and surprise I trust may be for his spiritual and eternal good, that I will give him another quotation to the same point:

"Such a fate as this was Dante's—
By defeat and exile maddened;
Those were Malon and Gorymbos,
Nature's priests, and Gorymbos,
By affliction touched and saddened."

And again:

"Only those are crowned and sainted,
Who with grief have been acquainted."

Now, sir, let us look for a moment at the arguments which have been sought after to show that Congress should organize Territorial Governments. I will now leave the region of the sensibilities, and visit, for a time, the domain of the intellect—a movement from what is sublime in feeling in my opponents to what is ridiculous in reason. I understand, Mr. Speaker, that those arguments have all been made on a proposition to organize a Territory which has no white men in it. There is not a member of the Committee on Territories who has spoken, or who will rise and say that there are three hundred white men in the Territory of Chippewa.

Mr. GROW. Oh, yes, there are.

Mr. ALDRICH. If the gentleman will go there, he will find a good many more than three hundred white men there. The gentleman lives so far off, it is not to be wondered at that he should make such a statement.

Mr. THAYER. I had it from the contesting Delegate from Nebraska.

Mr. CLARK, of Missouri. I desire to ask the chairman of the Committee on Territories if there has been any petition signed by any man within the limits of Chippewa Territory, in favor of an organization of that Territory; and what evidence they have that there are even one hundred and eighty white men within its limits?

Mr. SMITH, of Virginia. I do not believe there is one white man there.

Mr. GROW. I should like to ask the gentleman—Missouri what petitions there were as and Nebraska at the time those were organized?

USTON. Oh, that is no argument. One wrong does not justify another.

Mr. THAYER. Now, let me make one remark to the gentleman from Iowa, who appealed to this House to afford protection to these infants in the Territories—

Mr. CURTIS. I hope the gentleman will allow me to correct his statement.

Mr. THAYER. The gentleman did not allow me.

Mr. CURTIS. I certainly did not refuse to allow the gentleman to interrupt me, to correct anything I might have said. If the gentleman appealed to me, and I did not yield to him, it was because I did not hear him, and not from any want of courtesy. Now, sir, I protest that

I never spoke of the people of the Territories as infants. I spoke of them as men; and if I used the word "infant" in that connection, it was to characterize the Territories as infant empires.

Mr. THAYER. I was not talking of the gentleman's orthography or etymology. I was talking about his speech.

Mr. CURTIS. I used no expression of the kind.

Mr. THAYER. I was not quoting the gentleman in words; I was talking about his argument, which was to show that the people of the Territories were wholly unable to take care of themselves, and that they must be afforded protection by the General Government. What do they want with our protection? And if they do want it, what protection would they get except a government of broken-down politicians, which the President of the United States would send them? They have King Log now; they would have King Stork then. Is a Governor a ten-horse power to protect the people? So far from that, sir, he is as much inferior to the hardy pioneer, in strength and character, as Lombardy poplar is to live oak. What is there in such a Governor? What is there in such a secretary? What is there in such marshals? What is there in a whole force of Territorial officers such as would be sent there to protect the people? Depend upon it, if they are protected at all, they will protect themselves; nobody else will protect them; and besides that, they must protect all these Government officials, if we send them. I ask, who are the men you would send there? Men whom the people have defeated at home. These are the men usually sent to govern the Territories; these are the governmental officials, under whatever party jurisdiction appointed; and they have usually been worse to the people of the Territories than the frogs and lice to the people of Egypt. [Laughter.]

But, sir, to carry the illustration further: Here the people are the sovereigns; these nuisances go up into the chambers of the kings. Why do they go? To fill their own pockets with the gold of the General Government; to trade with the Indians; to speculate in town lots; and often, one of the methods by which they accomplish their ends is by stirring up Indian wars. I have appealed to our history to show that the people can govern themselves, and I might as well go on a little further in the same direction. It does happen that the people of the State of Oregon were, during the first ten years of their history, without a Territorial Government. Their first Governor, Gen. Lane, has said that the people of Oregon had not since been under so good laws, so well enforced, as they made for themselves, before the time when their Government received the sanction of Congress. They had done everything that pertained to good government. Still, there are men who will stand up here and say, that without a Territorial organization by Congress, the people would be ruined.

Now, sir, I tell you what is the object of these Territorial organizations. It is to make the

people believe that nothing on this continent can be done without Congress. It is an attempt to deify the politician at the expense of the people; that is the whole of it. Sir, do you think that this House of Representatives, that this Senate, that this President, is the motive power of this Government? If you do, let me assure you you know but little about it. The motive power of this Government is the people—the people at home, who attend to their own business and mind their own matters—and the politicians here, who pretend that they themselves are the motive power, are insignificant in comparison with the fly on the axle-tree, who claimed that he made the coach move. [Laughter.] That is the fact. Now, sir, I am tired of these assumptions. I cannot endure them. I contend that it is better to leave these men alone, without our supervision, until their faults or weaknesses shall show that our intervention alone can be their salvation.

I think, now, Mr. Speaker, that I have vindicated the power of the people to govern themselves. I have shown it as it appears in our history. These people of Dakota are as well off to-day as they would be if they had our Territorial officials over them. They have now no Indian wars. The Yanktons and the Sioux are all quiet. But organize the Territory, and send out your executive officials; and then, sir, these speculators will greatly desire an influx of Government gold. There is no method so sure and so convenient to produce that result, as to stir up an Indian war. It will be done, sir, to raise the price of town lots. The Yanktons and Sioux will come down on the white settlements, and we shall soon hear of the terrible inroads of the savages. Then, sir, a heart-rending appeal for protection. Then, sir, a regiment, of soldiers and \$1,000,000. Then, sir, damages and pensions and war claims to the end of time. They are better off to-day, than they can be with these Government speculators turned loose upon them.

Mr. GOOCH. I wish to ask my colleague whether he recognises the right of Congress to interfere, if the people of a Territory should frame institutions which, in its opinion, were improper, and not in accordance with the theory and spirit of this Government?

Mr. THAYER. Our fathers had a general rule, which they applied very frequently when questions were asked about what they would do in certain contingencies; and that rule was, that they would answer any such questions when they should arise in practice. That is a very good rule for me to act upon in this case.

Mr. GOOCH. Does not my colleague consider that such a question may have arisen in the case of Utah, and perhaps in the case of New Mexico?

Mr. THAYER. No case has yet arisen in practice. No evil has yet been consummated in the Territories, which the people there, by their own local laws, are not abundantly able to remove.

Now, sir, I do not propose to have anything to say concerning the negro in the bills which I shall offer to the House. I am perfectly will-

ing that, for a time under this Government, the negro, as well as the sovereignty of Congress, shall be held in abeyance. Perhaps that is the reason why some gentlemen are surprised, and why they grieve. It may be that, if my colleague were not surprised at me, I should be very much surprised at myself. You will remember, in the beginning of this session of Congress, that assurances were given by many Republicans here, that this question of slavery should not be introduced by them during the present Congress. I, sir, was one of the Republicans who repeatedly gave that assurance to men whose votes were doubtful; and had it not been for such assurance, you, to-day, Mr. Speaker, would not be occupying the position of presiding officer of this House. Sir, such an assurance was publicly given upon this floor by the Republican candidate for Speaker, [Mr. SHERMAN,] and that assurance was quoted by the gentleman from Maryland, [Mr. DAVIS,] in his defence against the resolutions of the Maryland Legislature, that the Republicans would not introduce the question of slavery into this House. I have honestly observed my promise in reference to the assurance which I gave men whose votes were doubtful on the question of the Speakership.

Mr. Speaker, I do not propose, in the organization of these Territories, to agitate the country with that question. There is no manner of need of it. I have said before that the interests of freedom do not demand it. I say now, that the interests of slavery do not demand it. What do the fanatics in both sections of this country want? They know that the whole country is tired of the question. If the whole country could respond to-day as one man, they would say so. Have we nothing else to look after in this country but the slavery question? Is there nothing here but "Northern aggression" and "Southern aggression?" Are all the glorious achievements in our history forgotten? Are all the momentous interests of our present condition of no importance? But, sir, these fanatics, both in the North and in the South, know nothing, see nothing, care for nothing, but the negro question.

Above us is the broad expanse of heaven, filled with glowing constellations:

"In reason's ear they all rejoice,
And utter forth a glorious voice."

There is "Arcturus with his sons," and Orion with the Pleiades; but we have a set of one-sided men in the North, who can see nothing in the whole canopy, save the "Twins;" and another set of cognate fanatics in the South, who can see nothing but the "Bear circling the Pole." Poor men! They sit up nights—the one class to see that the "Bear" does not devour the "Twins," and the other class to see that the "Twins" do not set some trap for the "Bear!" A fine help are these haggard night-watchers to the great Eternal! Their "eternal vigilance," no doubt, prevents a collision of the planets. How thankful we should be that such self-sacrificing heroes still live. We all know well enough what might happen, if even one little world should be jostled out of place.

"Let but one planet from its orb be hurled,
Planets and suns rush lawless through the world."

There was one man, Newton, who comprehended all these constellations and the laws which govern them. He weighed worlds. He gave to mortals the grandest law of the physical universe. He could see the whole ethereal expanse, and contemplate it, and scrutinize its movements, and almost fathom its mysteries. But Pope says of that Titanic intellectual prodigy:

"Superior beings, when of late they saw
A mortal man unfold all nature's law,
Admired such wisdom in the human shape,
And showed a Newton as we show an ape."

If, sir, "superior beings" saw a Newton as an ape, by what multiplication of microscopic power could they see at all a little dwarfed politician, who himself can see but one constellation, or at most two, in the whole handiwork of Jehovah, and these two the "Bear" and the "Twins?" [Great laughter.]

Let me say to the gentlemen from the South who are sensitive on this question of slavery, that a sublimer faith would become great men. Those men especially who say that slavery is of Divine origin. Why, Mr. Speaker, who is the author of Divine institutions? "It is He who sitteth upon the circuit of the heavens, and before Him all the inhabitants of the earth are as grasshoppers." If, then, he has established certain relations between grasshoppers of one color and grasshoppers of another color, he assured those relations will stand any and all tests. Who can overthrow them? Can the North? [Great laughter.] Is my colleague going to do it? I think not; for these things which have the superintendence and approval of Almighty God are above even these giants who contend against the right of the people to govern themselves. The Titans even could not dethrone Jupiter.

The appeal is made to us from every reason of philanthropy, from every sentiment of pity, that those "poor people" in the Territories may not be allowed to govern themselves, for the reason that they cannot pay their own expenses. Well, sir, if they cannot do it, is it not as easy for us to appropriate money to govern the land districts, or to aid them in governing themselves, as it is to appropriate money to pay the officials which the Executive may send out? What man can doubt that? If they are in such a strait as to want assistance in their government, who is here so base as to refuse to give it. There is no party here, there has been no party in this country, but what would listen to the appeals of these people, coming with this plea of poverty that they were unable to meet the legitimate expenses of their Government; they would have an appropriation; and one-half of the ordinary appropriation would be better for them, paid to their own citizens, whom they would elect to these offices, than the whole appropriation paid to Federal officials, who go out to the Territories only for a temporary residence, and who return with the profits of their proconsulship to settle in Fifth avenue, or in some of the Eastern cities. Under this mode of allowing the people to govern them-

selves, they will select their own fellow-citizens, residents in the same Territory; and these officers will receive their salaries, not to be transported to Eastern cities to be spent in luxury; but, sir, to be used in building up the young Territories and the future States which shall be made within her limits.

Mr. Speaker, another objection of my colleague is, that there can be no law except mob law among these people in the Territories. I have shown that in our earliest colonies, without the advantage of former experience in self-government, the people have made models of government for themselves. I have shown that the people of Oregon have made model institutions without the advice or sanction of Congress. My colleague says that nothing but mob law can exist, except where this omniscient Legislature shall show the world some nobler achievements. Mob law, made by infants, and I suppose carried out by infants! No, sir; mob law made by sensible men, your equals and mine, from your State and from mine; every one of them abundantly able to draw up a bill of rights or a Constitution. And these are the men who know nothing but mob law, and this Congress should exercise its all-wise influence to restrain them from self-destruction, from annihilation! Is it possible, sir, that, in this age of the world, there is any man so big a fool as to suppose that Anglo-Saxons have not in themselves the elements of self-preservation? If there is, sir, he ought to be schooled a while longer by his mother and by his nurse. I contend, sir, that Anglo-Saxons, wherever you find them, have the elements of self-government and the elements of self-preservation. Put them down where you please, in small numbers or in great numbers, familiar friends or strangers to each other, and they will institute a perfect code of laws, and they will enforce them. Personal rights, rights of property, all rights, will be protected under those laws.

Now, sir, this is a scheme to deify politicians, and that is why it is fought for. What will the politicians do, these men ask, when it is seen all over the country that the people can do without them, and without their supervision and parental care in Congress? "Othello's occupation" will be gone, and especially the occupation of such Othellos as have their all invested in Wilmot Provisos or Congressional intervention in some shape. What can they do when the people shall have said, as they will say, that no provisos are necessary, and no Congressional intervention consistent with the principles and policy of this Government. I take the stand that any such proviso or any such intervention is in direct antagonism to the Declaration of Independence, which says that "all Governments derive their just powers from the consent of the governed." Is that the kind of government which this Congress of the United States, without one word of authority from the people, imposes—to tell them how they shall act and what they shall do in the Territories? Do you claim, Mr. Speaker, that you have a right to say that a man in Washington Terri-

tory, whose wife is dead, shall not have the right to marry his former wife's sister? Do you pretend to say at what time they shall dig clams in Washington Territory? [Laughter.] Who pretends to say that it is the business of Congress to go into all these minutiae; to direct every movement, control every wish, shape every expression of the will of the people of the Territories of the United States? Whoever pretends to say so, is not entitled to have much influence among American citizens.

Mr. GOOCH. I wish merely to say to my colleague, that it seems to me he is fighting a proposition which nobody ever did assume. Nobody has assumed such a proposition here to-day, as that Congress could do anything of that kind; but merely that we should give a helping hand to the people, in organizing their local government, which may do these things.

Mr. THAYER. I perfectly well understand all that. It is to give a helping hand to the politicians, not to the people; that is what my colleague wants. He is afraid I will lose my place in this House for not lending a helping hand. I do not fear any such thing, so long as I adhere to what I can defend by good logic. I do not fear to go before the people of any part of the country with this as my thesis: that the people are supreme in this Government, and that they have the right to govern themselves.

Mr. GOOCH. I desire to ask my colleague whether he means to say that I have ever intimated any such thing as he suggests?

Mr. THAYER. What?

Mr. GOOCH. That I was afraid you would lose your place here on account of your position on this or any other question.

Mr. THAYER. I supposed that, on account of your abundant sympathy, that was the case.

Mr. GOOCH. When the gentleman cannot find something that exists to fight, he fights something that does not exist.

Mr. THAYER. If the gentleman wishes me to come directly to the point, I will do so. He says Congress has the power to govern the people; and he complains because I said that Congress might exercise that power by telling the people of a country when they were to dig clams, and when not; and might exercise it by saying whether a man might marry his former wife's sister or not. Now, I ask my colleague if he denies that Congress has the power to say both these things?

Mr. GOOCH. What I say in regard to the matter is this: that it is the duty of Congress merely to assist these people in organizing a Territorial Government; not to dictate to them their measures of legislation, only so far as that they shall not legislate in such a way as would be against the best interests of the people of the Territory and the whole country.

What I mean to say, still further, is, that if a Territorial Legislature shall pass any law which, in the judgment of Congress, shall be contrary to the policy or theory of our Government, or which in the end would place this Territory in such a condition that it would not be a proper subject to be received into the Union on an equality with the other States, then it is the

duty of Congress to interfere and prohibit or repeal such law—

Mr. THAYER. I think my colleague has gone on far enough.

Mr. GOOCH. Then I will sit down.

Mr. THAYER. That is right. I would like to know what kind of philosophy it is that my colleague's views are based upon. Is it the philosophy of persecution and proscription, or is it the philosophy of Christianity? Does he suppose, when the people of a Territory are determined to act in a certain way, and to exercise certain rights, that by legislating here to the contrary he can prevent their acting in that certain way, and exercising those certain rights? Is he of the opinion that he is going to convert these men to what he considers right, by force? Is that his idea? Does he expect that if they love slavery and hate freedom, he is going to make them good Christians and good freedom-men by legislating that they never shall have slaves? Would he propose, in respect to Christianizing Hindostan, that the best method for the missionary societies would be to send over and steal their idols? Would he make them Christians any sooner by legislating in Massachusetts, or here in the Federal Government, against idol worship in Hindostan? No, sir; that is entirely a wrong philosophy. You cannot legislate religion, or temperance, or Christianity, or heaven, into any people under the sun. No, sir; this must be accomplished by other means. Converts are not made, especially in this country, by force. But, sir, it seems to be the cherished opinion of some, that there is no other way of making converts to anything good, except by legislation. Now, I have a philosophy about government, and the duties of government, which cannot by any possibility accord with the views expressed by my colleague. The propositions that I make, as comprehending that whole philosophy, are very simple, and are only two in number. These are, first, that the first duty of the Government is to let the people alone; and, second, that its second duty is to prevent my colleague, or anybody else, from interfering with them. [Laughter.]

Now, sir, if they are unable to work out their own salvation, it is putting very great burdens, Mr. Speaker, on you and me, to work out the salvation of all the people of this country. You and I might be the only men who understand in what line and in what direction this great salvation lies. How shall we accomplish it with the perverse wills of the whole nation against us?

Now, I will state to you what is the radical and distinctive difference between parties in this country; and there can be traced to this radical distinction every measure which occasions any conflict in this House or in the country. That radical distinction is this: faith in the people, and no faith in the people. It so happens, and it wisely happens, that no party will ever control, or has ever controlled, this Government, but what either exercises this faith in the people, or makes the people believe that it exercises it. [Laughter.]

Now, sir, I challenge any man to controvert that maxim. It has not been done here, and it cannot be done here. I will meet, now, or at any time, any man on these radical propositions of government which I now enunciate. If my colleague wishes now to make any explanation of his views, I will listen to him. [Laughter.]

Mr. GOOCH. I have as much belief in the ability of the people to govern themselves as my colleague or any other man has; but, sir, when I look to our Territories, I say that those Territories belong to the people of the whole country; that in those Territories every individual in the country has an interest; and I believe that no ten men, or twenty men, or one hundred men, from the United States, or from any foreign country, have a right to go there and build up precisely such institutions as they please; to organize, if they choose, a monarchic form of government, and build up institutions which shall make the States to be formed out of those Territories unfit ever to be taken into the Union.

Mr. THAYER. Now I understand all that my colleague is going to say. [Laughter.]

Mr. GOOCH. Then my colleague does not want my views. He has had enough of them.

Mr. THAYER. I understand all that he is going to say. His propositions are these: first, that every man in this country has an equal right to the territory of the United States, and therefore his inference is this: that every man in this country has a right to impress his own peculiar views upon the people who shall occupy that Territory.

Mr. GOOCH. No; my colleague mistakes my theory. My theory is, that the people, as a whole, own the Territories; that the views of the different individuals shall be placed together; and, that the sum of all the opinions of all the people shall prevail in the Territories.

Mr. THAYER. Well, now, that would work very great hardship in case there should be nine hundred and ninety-nine men of one view, and one thousand men of the other. The nine hundred and ninety-nine, who, according to his assertion, have an equal right in the Territories, would, by the action of one man, have no rights whatever.

Mr. GOOCH. The theory of our Government is, that the majority shall govern. Does my colleague deny that?

Mr. THAYER. And all this, Mr. Speaker, after the people in the Territories have bought their land and paid for it! After that, these men have a right to impress them with their peculiar views on politics, religion, on moral and mental philosophy, on spiritualism, and what not. There is no end to what we might make topics of legislation. Well, I am not for making these things topics of legislation myself; and if I had my way about it, a poet never would write a platform for the Republican party. [Laughter.] I do not like metaphors in platforms. I want them prose; or, if they must be poetry, I would like to have them very good poetry.

Now, from what source can this power be derived, that enables men who have sold these

lands to people who are their equals in every respect—who are citizens of the United States—where is the power derived from, that gives to men in Maine, and Massachusetts, and Iowa, the right to say what institutions the pioneers shall have? But I am told, with grave solemnity, by my colleague, that this is the ancient policy of this Government. It is not so ancient as Satan. [Laughter.] It is not so old as Sin, the daughter of Satan. Its age is no reason why it should be forever sustained. It is old enough to die.

Mr. GOOCH. I desire to ask my colleague whether he intends to place the framers of our Government, and the men who engrafted this policy on the Territories, in the same category with the distinguished individual to whom he has referred, and to say that their work is on a par with what he terms sin? [Laughter.]

Mr. THAYER. No, sir, neither them nor my colleague. I have no idea of doing such a thing. But I do say of the men who framed this Government, that they might not have been perfect, even in human wisdom; and I do say, contrary perhaps to the opinion of many, that the present generation is not less wise than the past. It may sound strangely, but any man who denies it denies faith in God and human nature. No, sir; I contend that we are degenerate men, unless we can inaugurate a better policy than that which has been inaugurated one or two centuries ago. Have we not improved on the law of primogeniture? Have we not improved upon the feudal system? But this idea, that Congress have the right to govern the Territories because they have sold the lands to the people who live there, is a part of that system.

No, sir; I tell you that this Territorial policy has been, from the outset, progressing all the while in favor of popular rights. The first stage in our Territorial policy was, that the President should send out the executive power, the legislative power, and the judicial power, for every Territory. That was the first policy. The second policy was, that the President should send out the executive power, the judicial power, and a part of the legislative power—the Council—while the people of the Territory might elect the lower branch of the Legislature. The third step of our Territorial policy was this: that the President should send out the executive and judicial powers, while the people in the Territory should elect the whole legislative power. And, sir, the fourth step in our policy was—and that was the Kansas-Nebraska bill—that Congress should not have intervention for the revision of the laws which the people in a Territory should make, although by that act the sovereignty of the people in the Territory was held in abeyance during their Territorial condition, subject to the sovereignty of the President.

Now, sir, the step which I propose, which is the fifth step in our Territorial policy, is this: that the sovereignty of the people shall be active, and not held in abeyance, while the sovereignty of the President and the sovereignty of Congress shall be held in abeyance.

This, sir, is the fifth and last step in our Territorial policy.

"Time's noblest offspring is her last."

This policy, sir, is the *Ultima Thule* of popular sovereignty—the pillars of Hercules, sir, on which I now write, in letters so that the world may read, "THE NE PLUS ULTRA OF ANGLO-SAXON GOVERNMENT."

But, sir, I will not censure my colleague for entertaining any fears for the safety of free institutions, which he may choose to cherish. I can understand how he and other men—not, perhaps, of the most bold and defiant disposition—may claim that there is danger of slavery's grasping and destroying all our Northern rights. I have heard of an old man who had read what Herschel had said about the spots on the sun—that they were increasing; and, sir, he looked at the sun, to see whether the spots continued to increase; and he kept looking, till he could see nothing but one black spot; and then he died of grief, thinking the sun had gone out, when he had only gone out himself. [Great laughter.] These timid men in the Northern States, who believe that slavery is going to overspread the continent, and swallow up Canada and Massachusetts, get blinded by the dazzling light of all our free institutions and the glory of our nation's progress and history, and they can see nothing but a black spot that covers the whole, and therefore they fill the whole earth with their mourning. [Laughter.] Now, I am not of that class of men. I tell you, sir, that, reading the history of this country, I can in no way convince myself that, by all these providential triumphs over British aggressions, by all these providences in our behalf during our whole history, God has preserved and cherished this nation, just for the purpose of allowing it to be submerged and destroyed by disunion, or slavery, or by any other calamity whatever.

Now, sir, I have faith in the people of every section of the country. I do not believe that the problem which belongs exclusively to the people of Texas, or exclusively to the people of Louisiana, can, by any possibility, be worked out to a satisfactory and correct result by the people of Massachusetts or the people of Maine. And as to the question of slavery in these States, I believe that the Northern people have no more business with it than we have with the laws of primogeniture in England, or than we have with the institutions of China, Hungary, or Turkey. Not one whit more. We are a Congress of nations to all intents and purposes; we have no business each with the sovereignty of another, nor the sovereignty of the whole with the individual rights of any one. There can, then, be no quarrel between the North and the South concerning slavery in the States. We can only have that apple of discord in our Territorial Governments. I have, therefore, said not one word about it in the land district system which I have presented to the House and to the country. I have observed my promise, in them, not to bring the agitation of the slavery question into the House. That was my promise, and I will observe it.

But my colleague says we must send out

suitable men to govern these Territories. I suppose they have no suitable men there! I suppose no man in one of these unorganized Territories ever heard of such a place as the State of Massachusetts, or that my colleague was a Representative of that State! and what do they know, if they do not know that? [Laughter.] Suitable men! Men who cannot get a living at home; men who have not popularity enough to be re-elected in their own districts. Suitable men! Who are the men who are there? They are men who have travelled across the mountains; who have hunted wild beasts; who have fought the Indians; who understand human nature better than any man can possibly do who is a member of this House, from the experience of a quiet life. These are the men whom some little pucker-up lawyer in Maine or Massachusetts, with his feet upon the window-sill, calls "infants," while he prates about "our parental care." [Great laughter.]

Now, sir, I have no kind of patience with this kind of argument, which goes before the country assailing the character of the men of the Territories. But if this were all, I might submit to it; but, adding insult to injury, it assails their common sense; it assails their manhood, calls them "interlopers, runaways, and outlaws," and in every way wholly unfit for civilization and self-government. What on earth did God make such men for? Now, sir, I will yield to my colleague, if he wishes. [Laughter.]

Mr. GOOCH. My colleague has been indulging in his usual style of fighting windmills.

Mr. THAYER. I was fighting my colleague, Mr. Speaker.

Mr. GOOCH. My colleague has not stated any argument or remark of mine. What I said was, not that these men were inferiors; I said they were men just as capable of governing themselves as the people of any other portion of the country. But I said that, at the outset of a Territorial organization, they had little or no knowledge of each other; that they were too few and scattered to enable them to select proper officers from among themselves; and that, for the purpose of starting a Government, they should have the aid of the General Government, and that their first executives should be selected by the General Government, instead of being selected by those men, whom I admitted might be the equals of my colleague and myself. I wish my colleague would reply to what I did say, instead of replying to his own fancies, to his own windmills, which he sets up for himself.

Mr. THAYER. The House shall judge whether I am dealing fairly with my colleague. There shall be no mistake this time. I understand him this time to make two statements: one is, that the people are too few and scattered in the Territories for them to establish a Government for themselves. Is that correct? [Mr. Gooch nodded assent.] The other is, that they are strangers. Is that right? [Mr. Gooch again nodded assent.]

Now, sir, with the leave of the House, I shall answer both these propositions. The first, that the people are too few in numbers:

let me ask my colleague if there is more danger of the overthrow of good government in the town of Paxton, which is one of the smallest in my county, or in the town of Hull, one of the towns near Cape Cod, which I believe has about seventy-five people, than there is in the city of New York, or in the city of Baltimore? Did my colleague ever hear of a riot or a rebellion in the patriotic town of Hull? Has he not often heard of riots in New York and Baltimore? I put it to this House, whether the fewness in number of the people of a Territory is a strong reason why the Government of the United States should interfere and see that they should not blot themselves out? Why, every man knows that our republican institutions are in the most danger where the population is the most dense. Has my colleague anything to say to that?

Mr. GOOCH. My idea is, that there is more danger of institutions formed in the organization of a Government where there are few men who participate in that organization, than where it is participated in by many. And again, every one knows that the people who go to an unorganized Territory go from different countries, and many of them come from foreign countries; and I say that there is more danger that institutions will be established there not in accordance with the theory of our Government, than where there is a larger collection of people.

Mr. THAYER. I feel the whole force of that argument. My colleague has shown that if there was only one man in a Territory, there would be very great danger of a mob there, and an overthrow of republican institutions. [Laughter.] Has the gentleman ever read the history of France? Has he ever heard of barricades in the streets of Paris? Has he ever read Roman history; and does he not know that all dangers to government occur where the people are the most dense, where they are packed, where they exist in crowds? My colleague certainly knows all that; I will not take the position of denying that he knows all that. How, then, can he, with a knowledge of the history of this country and of all countries, claim that there is the greatest danger to republican institutions or to good government where there are the fewest people? The fact—and every man knows it—is, that where there are few people, there never was, and there never can be, any great danger.

My colleague's other proposition is, that the people are strangers to each other. Does my colleague suppose these Yankees are like the Frenchman, who would not save a drowning man because he had not been introduced to him? [Laughter.] Does my colleague suppose the Yankees have not the power of getting acquainted? If they had no social qualities whatever, they would see if something could not be made out of an acquaintance. [Great laughter.] Does my colleague deny that? [Continued laughter.]

Mr. GOOCH. I do not deny that, if they will only let my colleague get up an organized scheme of emigration, and put the Yankees there, for he would select the right kind.

Mr. THAYER. I will do my whole duty in

that regard. [Laughter.] Now, Mr. Speaker, what is there in this humbug of Congressional intervention that commends itself to the people of this country? Nothing. Neither you, sir, nor myself, will live to see another Territory organized by this Government to govern our fellow-citizens, equal to you and to me, in the Territories of this Union. The vote in this House to-day has shown that the people are tired of intervention, and of all the quarrels that hang upon it. There is no end to those quarrels; for so long as there are two views in this country concerning freedom and slavery, so long, whatever party is in power, there will be quarrels concerning Executive appointments for the Territories; and not only concerning those, but concerning every act which those executive officers may do in the Territories. There will not only be quarrels here in Congress, and quarrels in all of the States, but there will be quarrels among the people of the Territories themselves; for, sir, they enlist under party standards on the one side and the other, and no party, by any possibility, can ever attempt to do anything that the other party cannot, will not, censure and condemn. There will be these constant partisan quarrels in the Territories, and they, with various reports of crimes, of murder and robbery and arson, committed by Executive officials, or at their instigation, will be brought to the notice of this House, and parties here will range themselves upon the one side and upon the other, and we will have bitter, burning animosities, and never-ending disputes about this matter of non-resident jurisdiction.

This is a kind of government in no way consonant or consistent with our institutions. It never had any business under the stars and stripes. Now, sir, thank Heaven, it is ended. It has gone, once and forever, and we are no more to know it. Whatever we may annex hereafter, I say, let it be annexed as a sovereignty, and not as a dependency. We have had enough of this history of dependencies. Let us have no more of it. I appeal to honest men in all parts of the House—men who love the country more than they love prejudice, men who favor the institutions of the country more than they favor party—now, once and for all, to settle this policy.

Sir, it was said by my colleague, with a sneer, that I had joined the Democratic party to-day in my vote. I say, that not only the Democratic party, but the American party, so far as I know, without an exception, and many of the gentlemen who act with me in the Republican party, voted to lay these bills upon the table. I tell you that, so far from being denounced for our action by the people, we shall be applauded, and the country will thank us, of whatever party, for having taken this perplexing question out of the halls of Congress. From this time we will enjoy the luxury of attending to the legitimate business of legislation.

I move that the bill be laid upon the table.

The question was taken on Mr. THAYER'S motion to lay the bill on the table, and it was agreed to.